

**REGULAR MEETING OF CITY COUNCIL
SEPTEMBER 15, 2009 1:30 P.M.**

PRESENT:	Jeff Brain Leon DeWeese Charles Gillingham Marvin Dickson Robert Vinyard	Mayor Council Member Council Member Council Member Council Member
STAFF:	Wanda Klause Eddie Edwards Glynn Carlock Larry Mullenix Larry Byrd Danny Richards Jerry Langwell Bob Watson Ted Dodd	City Manager Asst. City Manager Director of Finance Planning & Zoning Director Code Enforcement Director EOC Fire Marshal Fire Chief Director of Public Works
VISITORS:	Edgar Velazquez Carrie Richards T. R. Hooper Waunell Murphy Mary Kay Phelan John Ray	Pastor
NEWS MEDIA:	Michelle Berry	Borger News Herald

QUESTIONS AND COMMENTS FROM CITIZENS: Citizens who have indicated their desire to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter is on the agenda, City Council members are prevented from acting on the subject and may respond only with statements of factual information or existing city policy; however, City Council members may request city staff to place the subject matter on a future agenda. Citizens are limited to three (3) minutes for their presentation to the City Council.

Mr. Tommy Hooper, H & H Fencing, advised the Council of problems he was having in reference to the City's sign ordinance. Mr. Hooper was found to be in violation and he asked that the sign ordinance be amended.

Mr. Hooper was referred back to the Code Enforcement Department.

MINUTES APPROVED: Following review of the minutes of the regular meeting of September 1, 2009, motion was made by Council Member DeWeese, seconded by Council Member Vinyard, to approve the minutes as written. The motion carried by the following vote:

Ayes: All members present voted aye.
Nays: None.

PAYMENT OF EXPENDITURES APPROVED: Following review, motion was made by Council Member Dickson, seconded by Council Member DeWeese, to approve payment of the expenditures for the first half of September as submitted. The motion carried by the following vote:

Ayes: All members present voted aye.
Nays: None.

CONTRACT BETWEEN THE TEXAS HISTORICAL COMMISSION AND THE CITY OF BORGER APPROVED: City Manager Wanda Klaue explained the scope of the contract between the Texas Historical Commission and the City pertaining to the Regional Coordinator for the Texas Plains Trail. The contract is valid for a period of one year beginning September 1, 2009 and ending August 31, 2010. Following discussion, motion was made by Council Member Dickson, seconded by Council Member Gillingham, to approve the contract and authorize the city manager to execute same. The motion carried by the following vote:

Ayes: All members present voted aye.
Nays: None.

INTERLOCAL AGREEMENT BETWEEN THE HUTCHINSON COUNTY HOSPITAL DISTRICT AND THE CITY OF BORGER FOR DISPATCHING SERVICES

APPROVED: Assistant City Manager Eddie Edwards reviewed the interlocal agreement between the City of Borger and the Hutchinson County Hospital District in the amount of \$28,000. The City of Borger has had interlocal agreements with various entities in the County for dispatching services in effect since October 1, 2006. With the discontinuation of regional EMS dispatching services by the Panhandle Emergency Services System the City of Borger has been approached by the Hutchinson County Hospital District to provide dispatch services for their EMS Service. City staff has assessed the impact to provide the service to be \$28,000 annually. Following discussion, motion was made by Council Member DeWeese, seconded by Council Member Dickson, to approve the interlocal agreement between the City of Borger and the Hutchinson County Hospital District. The motion carried by the following vote:

Ayes: All members present voted aye.
Nays: None.

ORDINANCE NO. O-008-09 SETTING THE AD VALOREM TAX RATE APPROVED: Ordinance No. O-008-09 setting the tax rate at \$0.61561 per \$100 valuation for FY 2009-2010 was submitted for final consideration. This tax rate will generate approximately \$2,587,388 of revenue in support of the General Fund and Debt Service Fund. Following discussion, motion

was made by Council Member Gillingham, seconded by Council Member Dickson, to approve final reading of Ordinance No. O-008-09 setting the tax rate at \$0.61561 per \$100 valuation for FY 2009-2010. The motion carried by the following vote:

Ayes: All members present voted aye.
Nays: None.

The captioned ordinance reads as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BORGER, TEXAS, FIXING AND LEVYING MUNICIPAL AD VALOREM TAXES OF THE CITY OF BORGER, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010 AT THE RATE OF \$0.61561 PER ONE HUNDRED DOLLARS (\$100.00), AND FOR DIRECTING THE ASSESSMENT THEREOF; PROVIDING FOR A DATE ON WHICH SUCH TAXES BECOME DUE AND DELINQUENT TOGETHER WITH PANALTIES AND INTEREST THEREON; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF

RESOLUTION NO. R-012-09 APPROVED: Joe Raper, Assistant Chief Appraiser of Hutchinson County Appraisal District, submitted a letter requesting the City Council nominate, by resolution, a candidate to serve as the City of Borger's representative on the Hutchinson County Appraisal District Board of Directors. Following discussion, motion was made by Council Member Vinyard, seconded by Council Member Dickson, to approve Resolution No. R-012-09 nominating Clarence McDaniel as the City's representative to the HCAD Board of Directors. The motion carried by the following vote:

Ayes: All members present voted aye.
Nays: None.

The resolution reads as follows:

RESOLUTION R-012-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BORGER, TEXAS, NOMINATING CANDIDATES FOR POSITIONS ON THE HUTCHINSON COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS

WHEREAS, Section 6.03(g) of the Texas Property Tax Code, allows each taxing unit other than a conservation and reclamation district that is entitled to vote may nominate by resolution, one candidate for each position to be filled; and,

WHEREAS, the presiding officer of the governing body shall submit those nominations to the Chief Appraiser of the Hutchinson County Appraisal District before October 15, 2009;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BORGER, TEXAS:

That, the City Council of the City of Borger, Texas, does hereby submit the name of Clarence McDaniel, 504 Butadieno, Borger, Texas, as a nominee to the Board of Directors of the Hutchinson County Appraisal District.

PASSED, APPROVED, AND ADOPTED, on this the 15th day of September, 2009, at a regular meeting of the City Council of the City of Borger, Texas which meeting was held in compliance with the Open Meetings Act, Tex Gov't Code, §551.001, et.seq. at which meeting a quorum was present and voting.

MEETING ADJOURNED: There being no further business, motion was made by Council Member Dickson, seconded by Council Member Gillingham, to adjourn the meeting. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

Mayor

ATTEST:

City Manager